

Coast Guard, DHS

§ 88.07

(e) A signal sent by radiotelephony consisting of the spoken word “May-day”;

(f) The International Code Signal of distress indicated by N.C.;

(g) A signal consisting of a square flag having above or below it a ball or anything resembling a ball;

(h) Flames on the vessel (as from a burning tar barrel, oil barrel, etc.);

(i) A rocket parachute flare or a hand flare showing a red light;

(j) A smoke signal giving off orange-colored smoke;

(k) Slowly and repeatedly raising and lowering arms outstretched to each side;

(l) A distress alert by means of digital selective calling (DSC) transmitted on:

(i) VHF channel 70, or

(ii) MF/HF on the frequencies 2187.5 kHz, 8414.5 kHz, 4207.5 kHz, 6312 kHz, 12577 kHz or 16804.5 kHz;

(m) A ship-to-shore distress alert transmitted by the ship’s Inmarsat or other mobile satellite service provider ship earth station;

(n) Signals transmitted by emergency position-indicating radio beacons;

(o) Signals transmitted by radiocommunication systems, including survival craft radar transponders meeting the requirements of 47 CFR 80.1095; and

(p) A high intensity white light flashing at regular intervals from 50 to 70 times per minute.

§ 87.02 Exclusive use.

The use or exhibition of any of the foregoing signals except for the purpose of indicating distress and need of assistance and the use of other signals which may be confused with any of the above signals is prohibited.

§ 87.03 Supplemental signals.

Attention is drawn to the relevant sections of the International Code of Signals, the International Aeronautical and Maritime Search and Rescue Manual, Volume III, the International Telecommunication Union Radio Regulations and the following signals:

(a) A piece of orange-colored canvas with either a black square and circle or

other appropriate symbol (for identification from the air);

(b) A dye marker.

PART 88—ANNEX V: PILOT RULES

Sec.

88.01 Purpose and applicability.

88.03 Definitions.

88.05 Law enforcement vessels.

88.07 Public safety activities.

AUTHORITY: Sec. 303, Pub. L. 108-293, 118 Stat. 1042 (33 U.S.C. 2071); Department of Homeland Security Delegation No. 0170.1.

SOURCE: 79 FR 37925, July 2, 2014, unless otherwise noted.

§ 88.01 Purpose and applicability.

This part applies to all vessels operating on United States inland waters and to United States vessels operating on the Canadian waters of the Great Lakes to the extent there is no conflict with Canadian law.

§ 88.03 Definitions.

The terms used in this part have the same meaning as the terms defined in part 83 of this subchapter.

§ 88.05 Law enforcement vessels.

(a) Law enforcement vessels may display a flashing blue light when engaged in direct law enforcement or public safety activities. This light must be located so that it does not interfere with the visibility of the vessel’s navigation lights.

(b) The blue light described in this section may be displayed by law enforcement vessels of the United States and the States and their political subdivisions.

§ 88.07 Public safety activities.

(a) Vessels engaged in government sanctioned public safety activities, and commercial vessels performing similar functions, may display an alternately flashing red and yellow light signal. This identification light signal must be located so that it does not interfere with the visibility of the vessel’s navigation lights. The identification light signal may be used only as an identification signal and conveys no special privilege. Vessels using the identification light signal during public safety activities must abide by the Inland

Navigation Rules, and must not presume that the light or the exigency gives them precedence or right of way.

(b) Public safety activities include but are not limited to patrolling marine parades, regattas, or special water celebrations; traffic control; salvage; firefighting; medical assistance; assisting disabled vessels; and search and rescue.

[79 FR 37925, July 2, 2014, as amended by USCG–2012–0102, 79 FR 68622, Nov. 18, 2014]

PART 89—INLAND NAVIGATION RULES: IMPLEMENTING RULES

Subpart A—Certificate of Alternative Compliance

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89.25 Waters upon which Inland Rules 9(a)(ii), 14(d), and 15(b) apply.

89.27 Waters upon which Inland Rule 24(i) applies.

AUTHORITY: 33 U.S.C. 2071; 49 CFR 1.46(n)(14).

SOURCE: CGD 80–157, 47 FR 13801, Apr. 1, 1982, unless otherwise noted.

Subpart A—Certificate of Alternative Compliance

§ 89.1 Definitions.

As used in this subpart:

Inland Rules refers to the Inland Navigation Rules contained in the Inland Navigational Rules Act of 1980 (Pub. L. 96–591) and the technical annexes established under that act.

A vessel of special construction or purpose means a vessel designed or modified to perform a special function and whose arrangement is thereby made relatively inflexible.

Interference with the special function of the vessel occurs when installation or use of lights, shapes, or sound-signaling appliances under the Inland Rules prevents or significantly hinders the operation in which the vessel is usually engaged.

[CGD 80–157, 47 FR 13801, Apr. 1, 1982, as amended by CGD 83–028, 49 FR 33876, Aug. 27, 1984]

§ 89.3 General.

Vessels of special construction or purpose which cannot fully comply with the light, shape, and sound signal provisions of the Inland Rules without interfering with their special function may instead meet alternative requirements. The Chief of the Marine Safety Division in each Coast Guard District Office makes this determination and requires that alternative compliance be as close as possible with the Inland Rules. These regulations set out the procedure by which a vessel may be certified for alternative compliance. The information collection and record-keeping requirements in §§ 89.5 and 89.18 have been approved by the Office of Management and Budget under OMB control No. 1625–0019.

[CGD 80–157, 47 FR 13801, Apr. 1, 1982, as amended by USCG–2006–25150, 71 FR 39208, July 12, 2006]

§ 89.5 Application for a Certificate of Alternative Compliance.

(a) The owner, builder, operator, or agent of a vessel of special construction or purpose who believes the vessel cannot fully comply with the Inland Rules light, shape, or sound signal provisions without interference with its special function may apply for a determination that alternative compliance is justified. The application must be in writing, submitted to the Chief of the Marine Safety Division of the Coast Guard District in which the vessel is being built or operated, and include the following information:

(1) The name, address, and telephone number of the applicant.

(2) The identification of the vessel by its:

(i) Official number;

(ii) Shipyard hull number;

(iii) Hull identification number; or